UNITED NATIONS **E**

Economic and Social Council

Distr.
GENERAL

E/CN.4/2002/144
14 March 2002

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Items 9 (a) and 11 (e) of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, INCLUDING: QUESTION OF HUMAN RIGHTS IN CYPRUS

CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF: RELIGIOUS INTOLERANCE

Letter dated 4 March 2002 from the Permanent Representative of Turkey to the United Nations Office at Geneva addressed to the United Nations High Commissioner for Human Rights

I have the honour to transmit herewith a letter dated 28 February 2002 addressed to you by His Excellency Mr. Tahsin Ertuğruloğlu, Minister for Foreign Affairs and Defence of the Turkish Republic of Northern Cyprus.

I would appreciate it if you would have the text of the enclosed letter* circulated as an official document of the fifty-eighth session of the Commission on Human Rights under items 9 (a) and 11 (e) of the provisional agenda.

(Signed) Murat SUNGAR
Ambassador
Permanent Representative

* Reproduced as received, in the language of submission only.

GE.02-11393 (E) 180302

Annex

TURKISH REPUBLIC OF NORTHERN CYPRUS
MINISTRY OF FOREIGN AFFAIRS AND DEFENCE
(Lefkoşa via Mersin 10 Turkey)

28 February 2002

Madam High Commissioner,

I have the honour to refer to the letter dated 16 October 2001 addressed to Your Excellency by the Greek Cypriot representative at the United Nations Office in Geneva, which has been circulated as a document of the Commission of Human Rights at the fifty-eighth session under agenda items 9(a) and 11(e), entitled "Question of the Violation of Human Rights and Fundamental Freedoms in Any Part of the World, Including the Question of Human Rights in Cyprus" and "Civil and Political Rights, Including the Question of Religious Intolerance", respectively (E/CN.4/2002/124 dated 27 November 2001). In view of the allegations contained in the letter and its annexes regarding cultural property in the Turkish Republic of Northern Cyprus, I am compelled to bring to your kind attention the following:

At the outset, I wish to underline that there is no occupation in Cyprus other than the 39-year-long occupation of the seat of government and exploitation of the usurped title of the "Government of Cyprus" by the Greek Cypriots. It is important to note that the division of the island, both territorially and ethnically, came about in 1963 as a direct consequence of the Greek Cypriot onslaught on the Turkish Cypriot people. Hence, the arrival of the United Nations Peace-keeping Force in Cyprus in 1964. It is also important to remember that the Turkish intervention, which was carried out in accordance with Turkey's rights and obligations under the 1960 Treaty of Guarantee, did not come about until 1974 despite the

H.E. Mrs. Mary Robinson,
High Commissioner,
Commission on Human Rights,
Geneva.

Greek Cypriots' "ethnic cleansing" of the Turkish Cypriot people during the 1963 – 1974 period, and was the direct result of the *coup d'etat* staged by the junta in Greece through its military forces and local collaborators so as to annex the island to Greece.

Since the deliberate destruction, in 1963, of the bi-national Republic and the ejection of all Turkish Cypriot elements from the bi-national partnership Government of Cyprus, there has not been a single constitutional government capable of representing both peoples of the island. What have existed, instead, are two separate administrations that have evolved into two sovereign, independent states, one belonging to the Turkish Cypriots and the other to the Greek Cypriots.

The relevant competent authority in the Turkish Republic of Northern Cyprus, namely the Department of Antiquities and Museums, takes pride in its efforts to protect the cultural heritage of Northern Cyprus, utilizing its limited resources in the most effective way in maintaining and restoring all sites and monuments, irrespective of their historical and religious origins. Turkish Cypriot authorities have received praise, for their efforts in this regard, from foreign experts and observers who have visited the island on various occasions to study the situation.

Greek Cypriot allegations of "destruction and desecration of churches" in Northern Cyprus have already been conclusively refuted by independent foreign experts and observers including prominent experts from UNESCO, the World Council of Churches and the Council of Europe.

In 1989, the then General Rapporteur of the Sub-Committee on the Architectural and Artistic Heritage of the Committee of Culture and Education of the Council of Europe, Senator Ymenus van der Werff, in paragraph 5.1 of his report, which was published as a document of the Council of Europe on 2 July 1989 (AS/Cult/A (41) 01), indicated that **"In the North ... we saw no churches destroyed"** and went on to say that the Turkish Republic of Northern Cyprus authorities were doing their outmost in protecting the cultural heritage in Northern Cyprus. Furthermore, in paragraphs 5.4 and 5.5 respectively, he reported that **"Restoration is going on in both the North and South. Greek Orthodox churches seemed to be in sound structural condition in both the North and the South"** and that **"The coordination of conservation, planning and environmental protection seems better assured in the North than in the South".**

The current Rapporteur of the Sub-Committee on the Cultural Heritage of the Council of Europe, Mrs. Vlasta Stepova, during her visit to the Turkish Republic of Northern Cyprus on 29 October 1999, has stated that the best way to preserve cultural works is to find alternative everyday use for them. She added that no country in the world has the means to turn every cultural building into a museum or to preserve it fully. She was most impressed by the preservation, through everyday use, of the St. Barnabas Monastery and Salamis ruins near Gazimağusa, as a museum and as a venue for cultural events, respectively. She also praised the use of the Bellapais Abbey near Girne as a venue for classical music concerts and exhibitions for the benefit of the public.

Returning to the island in November 2000, Mrs. Stepova repeated her predecessor's conclusion that there is no destruction of cultural heritage in Northern Cyprus. It is no surprise that she was severely attacked by the Greek Cypriot parliamentarians at the Parliamentary Assembly of the Council of Europe for stating her observations; a clear case of intolerance towards truth. The Director of the Czech State Institute for Monuments Care, Mr. Josef Stulc, who accompanied the Rapporteur on her visit, also refuted the Greek Cypriot claims of destruction by clearly stating in his Report that **"this (Greek Cypriot) interpretation is not confirmed by my visit to the North"** (Report no: AS/Cult/AA (2001) 02, dated 22 June 2001).

Foreign experts and visitors have expressed admiration for the great care and skill employed by the Turkish Cypriot authorities in preserving the original character and essence of buildings while at the same time finding a new use for them which ensures their continued existence for the benefit of the public.

Indeed, the conservation of historic buildings through use is highly recommended by the **Amsterdam Declaration**, which was issued by the Congress on the European Architectural Heritage on 24 October 1975. The Amsterdam Declaration, *inter alia* states that:

"It has been shown that historic buildings can be given new functions related to the needs of contemporary life." (Page 7, para.3)

". . Local authorities should... afford functions to buildings which, whilst respecting their character, correspond to the needs of contemporary life and thus ensure their survival." (Page 9, paras. 3 and 5)

"A policy of conservation also means the integration of the architectural heritage into social life." (Page 10, para. 5)

The same objectives are expressed in the **Charter of Venice**, which was drawn up in May 1964 by the International Congress of Architects and Technicians on Historical Monuments. According to Article 5 of the Charter of Venice, *"The conservation of historical buildings can be achieved through use for any useful communal purpose. This is a desirable way of use, however the original plan and ornaments of the buildings should be respected and should not be altered."*

Since 1976, it has become a general Council of Europe policy to urge the reuse of redundant religious buildings. This policy was reasserted by the Parliamentary Assembly in May 1989 when it adopted Resolution 916.

Moreover, the Greek Cypriots themselves utilize most of the ancient monuments for cultural activities. While some of those ancient monuments are used temporarily for performances, some of them are converted for permanent use. For instance, the Monastery of Monagri and its 18th century chapel was renovated by the Courtauld Institute of London and is currently being used as an art center.

I would like to remind you that the systematic campaign of ethnic cleansing directed by the Greek Cypriots against the Turkish Cypriot people during the 1963-74 period also entailed a process of "cultural cleansing" of the island of its Turkish-Muslim heritage. This manifested itself in the destruction of 107 mosques, shrines and other places of worship belonging to the Turkish Cypriots in 103 villages, as well as the sacred objects within them.

The Greek Cypriot administration continues to show utter contempt for the Turkish-Muslim heritage in Southern Cyprus, where Ottoman Turkish shrines are under threat of destruction. For instance, on 29 August 1999, Greek Cypriot elements perpetrated a despicable arson attack on one of the most sacred Islamic sites on the island, namely the Hala Sultan Tekke mosque in Larnaca.

It is rather paradoxical that the Greek Cypriot side, on the one hand, complains about the "destruction and desecration of churches" in Northern Cyprus, and on the other, as is evident from the foregoing, has systematically attacked, destroyed or treated with utter

disrespect cultural and religious monuments and places of worship belonging to the Turkish-Muslim heritage of the island.

Furthermore, while claiming to care very much for the cultural heritage of the island, the Greek Cypriots block the passage of aid to the Turkish Cypriot authorities in the North, although it is there that so many of the cultural monuments lie; monuments whose importance is not just local, but universal. The Greek Cypriots go to great lengths to prevent international organizations or private institutions from taking an interest in or providing assistance to the TRNC. They even try to prevent archaeologists from conducting research in the TRNC.

Please accept, Madam High Commissioner, the assurances of my highest consideration.

Tahsin Ertuğruloğlu
Minister of Foreign Affairs
and Defence